

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**CINDY RODRIGUEZ, STEVEN GIBBS,  
PAULA PULLIUM, YOLANDA CARNEY,  
JACQUELINE BRINKLEY, CURTIS  
JOHNSON, FRED ROBINSON**

**On behalf of themselves and all others  
similarly situated,**

**Plaintiffs,**

**v.**

**Case No.3:15-cv-01048**

**PROVIDENCE COMMUNITY  
CORRECTIONS, INC.,**

**RUTHERFORD COUNTY, TENNESSEE**

**JASIMINE JACKSON, BRIANA  
WOODLEE, AMANDA ROBERTS,  
TIARA SMITH, KELLY HALEY,  
AMANDA SCHEXNAYDER, KAYLA  
BANKS, KELLY McCALL, NISHA HYDE**

**Defendants.**

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**RUTHERFORD COUNTY TENNESSEE'S MOTION TO DISMISS**

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COMES NOW Defendant, Rutherford County, Tennessee, by and through counsel, pursuant to Federal Rule of Civil Procedure 12(b)(6) and (7) and moves the Court to dismiss the Complaint in its entirety.

In support, Defendant states the Court should abstain from exercising jurisdiction over the case pursuant to the *Younger* abstention doctrine. The processes complained

of in the Complaint are specified and legal under Tennessee law. The Plaintiffs have failed to properly challenge that process directly and have failed to include all appropriate parties. The actions complained of are judicial acts or integral parts of the judicial process and are subject to judicial immunity or quasi-judicial immunity. As such, the Plaintiffs' claims are fatally defective and should be summarily dismissed.

The Defendant has filed a Memorandum of Law in Support of Motion to Dismiss immediately following the submission of this Motion, the contents of which are incorporated herein fully by this reference as if copied herein verbatim.

WHEREFORE, Defendant prays the Court dismiss the Complaint in its entirety and for such further and general relief as the Court may deem proper.

Respectfully submitted,

Cope, Hudson, Reed & McCreary, PLLC

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was sent to all counsel of record via the District Court's electronic filing system on this 2nd day of December, 2015.

/s/ Josh A. McCreary  
Josh A. McCreary